

**REMARKS**

Claims 48, 49, 51-53, 55, 58 and 59 are presently pending. Applicant acknowledges the withdrawal of the double-patenting rejection and the new prior art rejection. Claims 58 and 59 are objected to as being dependent upon a rejected based claim, but would be allowable if rewritten in independent form, including all of the limitations of the base claim and any intervening claims. Applicant herewith cancels claims 58 and 59 in favor of claims 48 and 52, which have been amended to recite the embodiments of claims 58 and 59. Applicant also reserves the right to pursue the subject matter of previously presented claims 48 and 52 in a continuation application. Thus, with the entry of this amendment, claims 48, 49 51-53 and 55 will be active in this case. Applicant asserts that entry of the amendment is proper because it places this case in condition for allowance by removing non-allowed subject matter.

***Rejection under 35 U.S.C. § 103(a)***

Claims 48-49, 51-53 and 55 are rejected under 35 U.S.C. § 103(a) as obvious over Eshhar *et al.*, *Proc. Nat'l Acad. Sci. USA* 90: 720 (1993), WO 92/15322, Wagner *et al.*, *Biotech. Therap.* 3: 81 (1992), and Riott *et al.*, *Immunology*, 3rd Edition, pages 7.8-7.14 (Mosby, 1993), and further in view of Hansen *et al.*, *Cancer* 71: 3478 (1993) ("Hansen"). Applicant respectfully traverses this rejection. However, this rejection is moot in view of the above amendment. Withdrawal thereof is therefore respectfully requested.

**CONCLUSION**

Applicant kindly requests entry of this amendment and response. The response does not raise any new issues. The features added to independent claims 48 and 52 are present in the canceled dependent claims 58 and 59, which the Examiner has stated are allowable. In view of the foregoing, it is respectfully urged that the present claims are in condition for allowance. An early notice to this effect is earnestly solicited. Should there be any questions regarding this application, the Examiner is invited to contact the undersigned at the telephone number shown below.

Respectfully submitted,

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Date

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